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CHAPTER I

GENERAL PROVISIONS

Article 1.

Scope of application

The Ports of Sines and the Algarve Authority, SA (APS - Administração dos Portos de Sines e do Algarve, S.A.), hereinafter designated as APS, SA, will charge, within Port of Sines jurisdiction area, for the use of port equipment and facilities, relative to the economic exploitation of the port, the dues foreseen in the present Regulation.

Article 2.

Competence of the APS, SA

Without prejudice of the situations prescribed in the present Regulation, in the Portuguese Ports Tariff System Regulation (Regulamento do Sistema Tarifário dos Portos do Continente), hereinafter designated as RST, or in special legislation, it is the competence of the Board of Directors of APS, SA to deliberate mainly on the following:

- a) Resolution of omitted or unforeseen cases;
- b) Rendering of services through previous adjustment;
- c) Services performed outside the port area;
- d) Services rendered in rescue operations, assistance to vessels in danger, fire on board and others of the same nature;
- e) Demand of payment in advance or prior guarantee of payment of the tariffs.

Article 3.

Use of personnel

1- Unless otherwise provided, the tariffs always include the cost of utilization of the personnel essential to the execution of the service assigned to it by the port authority.

2- Should any personnel be used besides what's established by the previous number, the following rates are due, in euros, per human resource, professional category and hour:

Personnel qualification	Rate
Professional Group 1	€ 73,1758/H/h
Professional Group 2	€ 53,5790/H/h
Professional Group 3	€ 40,9528/H/h
Professional Group 4	€ 37,9786/H/h
Professional Group 5 A	€ 36,1781/H/h
Professional Group 5 B	€ 32,3845/H/h
Professional Group 6	€ 28,4537/H/h

Article 4. Measure units

1- The measure units are the ones prescribed in Art. 3 of the RST.

2- The dues regarding the Port Use Tariff, as well as the Pilotage Tariff, applied on tankers carrying crude and oil products with segregated ballast tanks, are calculated based on the reduced gross tonnage, under the terms of the RST.

3- As for warships, the GT is substituted by the maximum tonnage of displacement.

4- The direct measuring performed by the port authority or by other entities recognized by it prevails over those declared.

Article 5. Services requisition

1- The rendering of services will be preceded by a requisition to be done through the means and under the terms defined in the Port of Sines Operations Regulations, being of the responsibility of the applicant the payment of the respective dues.

2- The norms and terms for the services requisition and eventual penalties will be fixed by APS, SA.

Article 6.
Dues charging

1- The dues will be charged immediately after the rendering of the services, unless other procedure is determined by APS, SA.

2- The dues charging may be entrusted to other entities, under conditions to be determined by APS, SA.

3- The dues may be charged, under the legal terms, to third parts, in substitution of the liable persons.

4- Unless it is strictly determined, the invoice's paying term is of 30 days after its issuing.

5- Once the term of payment of an invoice expires, the charging becomes subject to interest on deferred payment at the legal rate.

6- All the amounts to be charged to APS, SA, and imputable to third parts will be debited and 20% surcharged, concerning administrative charges.

7- We must exclude from the previous number, and until its conclusion, all the situations whenever the administrative charges are defined.

8- APS, SA, whenever judges it convenient, for the safeguard of the port authority's interests, may come to demand the advance charge of tariffs, or that the payment by bank deposit or bank guarantee of any sums that may be due to it and resulting from the application of the tariffs, be previously assured.

9- There will be no invoice regularization for amounts under the values to be stipulated by the Board of Directors of APS, SA.

10- The dues established on these Regulations, are surcharged by the concerning taxes (VAT), according to what's established by law.

Article 7.

Invoice reclamation

1- The reclamation against the value of an invoice, as long as submitted within the payment term indicated on it, will suspend the payment of the item or items in question, and the remaining amount will be charged within the referred term of payment.

2- In case of partial dismissal of the reclamation, the respective claimed amounts will be aggravated by interest on deferred payment at the legal rate, counting from the reclamation date on.

3- In case of a total dismissal of the reclamation, the interests on deferred payment will be calculated from the reclamation date on, aggravated by a 5% penalty on the claimed amounts.

CHAPTER II

PORT USE

Article 8.

Harbour dues

1- The Harbour Dues, designated as TUP, are due for the availability and use of the systems relative to the entry, anchoring and clearing of ships, to ship and cargo operations, to safety and environmental preservation, under the terms of the RST.

2- The Harbour Dues comprise a component to be applicable to ships and vessels calling the port, and concerning the services rendered by the systems referred on the previous number.

3- In what concerns a set of towed vessel and tug, the Ship Harbour Dues shall be applied to each ship/vessel individually, whether they separate or not during the staying in the port.

Article 9.**Ship Harbour Due, based on the gross tonnage (GT) and ratio (R)**

1- The Ship Harbour Due charged to ships and vessels, if it is not previously settled, is calculated according to the gross tonnage (GT) and to the ratio (R) between the loaded and discharged cargo quantity, in metric tons, and the gross tonnage, considering (QT) as the total cargo handled per each call, in metric tons, and (K) as the value of the ratio (R) reference factor, according to the type of vessel or ship, as showed in the following table:

Type of vessel or ship	K value
Tankers	1,37
Containerships	1,22
Ro-Ro ships	1,21
Other vessels or ships	1,39

2- When estimating the volume of cargo handled by the container vessels, we must consider that a twenty feet container is equivalent to 12 t.

3- As for what has been established on the previous number, empty containers shall not be considered.

4- If the ratio (R) equalizes or surpasses the (K) value, according to the type of vessel or ship as paragraph 1 indicates, maximum unitary rates (U1), per GT units and displayed in Euros, will be charged:

$$\text{Maximum rate} = (U1 * GT)$$

5- If the ratio (R) is lower than the (K) value, according to the type of vessel or ship as number one indicates, a reduced rate will be charged in Euros, being established according to the following formula:

$$\text{Reduced rate} = (U2 * GT + U3 * QT)$$

6- Whenever no commercial operations are taken into effect by the vessel or ship during the call, it will be charged the Ship Harbour Due according to Art.11.

7- The value of maximum (U1) and minimum (U2) unitary rates, as well as the rates per ton (U3) are represented as (UT) on Tankers, as (UC) on Containerships, (UR) on Ro-Ro ships and as (UZ) on other vessels or ships, being fixed according to the following table:

Type of vessel or ship	Unitary rates		
	(U1)	(U2)	(U3)
Tankers	$UT1 = € 0,4984$	$UT2 = € 0,1743$	$UT3 = € 0,2367$
Containerships	$UC1 = € 0,3168$	$UC2 = € 0,1095$	$UC3 = € 0,1706$
Ro-Ro ships	$UR1 = € 0,3249$	$UR2 = € 0,1125$	$UR3 = € 0,1749$
Other vessels or ships	$UZ1 = € 0,4861$	$UZ2 = € 0,1743$	$UZ3 = € 0,2243$

8- The lay-time of the vessel on port, including loading and/or discharging operations, is settled under the following stagger:

a) Tankers:

- Up to 2 000 GT – 24 hours;
- From 2 001 to 20 000 GT – 48 hours;
- From 20 001 to 80 000 GT – 72 hours;
- Over 80 001 GT – 96 hours;

b) All other vessels or ships:

- Up to 2 000 GT – 40 hours;
- From 2 001 to 5 000 GT – 60 hours;
- From 5 001 to 20 000 GT – 80 hours;
- From 20 001 to 50 000 GT – 100 hours;
- Over 50 001 GT – 120 hours.

9- Whenever the time limit above-mentioned is exceeded due to any circumstance not imputable to APS, SA, Ship Harbour Due, based on the gross tonnage (GT) and ratio (R), is surcharged in 10% per each extra indivisible 24-hour period.

10- Whenever authorised and consequently, accomplished commercial operations at anchorage, the Ship Harbour Due based on the gross tonnage (GT) and ratio (R) of the ships and vessels involved, will be surcharged in 15%.

11- Whenever within the same call, the vessels take into effect a commercial and a non-commercial operation, no matter the nature, only one due is to be applied as far as the port's use concerns, according to what's established on number 7; the periods of time established on number 8 must be applied, for both operations, as well as the surcharges of this article's number 9.

12- Whenever within the same call, there's a change on the vessel's agent, is to be applied, to the agent who required the outward manoeuvre, only one due as far as the port's use concerns, unless there's a contrary indication from another agent appointed for the same call.

13- Whenever, within the same call, there's a change on the name of the vessel, the file must be closed and a new one must be opened by the agent representative of the new ship-owner, being thus one due applied to each file as far as the port's use concerns.

Article 10.

Reductions

1- The Ship Harbour Due, based on the gross tonnage (GT) and ratio (R), benefits from reductions under the following conditions:

- a) A 5% reduction bestowed as a "Green Incentive", all the ships which are holders of the Certificate of the Bureau Green Award of Rotterdam and fulfil its requirements, when requested;
- b) All the ships which had fulfilled the liner service conditions, and whose service had achieved a certain number of calls in the course of the 365 calendar days preceding the call at issue, shall benefit from the following reductions:

From 6 to 21 calls – 10%;

From 22 to 48 calls – 25%;

From 49 to 88 calls – 40%;

Over and above 88 calls – 45%;

- c) The ships whose name is upheld and which in the course of the 365 calendar days preceding the call at issue, excluding the ones at liner service, had achieved the following number of calls, shall benefit from the corresponding reductions, namely:
- From 6 to 11 calls – 3%;
 - From 12 to 17 calls – 6%;
 - From 18 to 30 calls – 12%;
 - From 31 to 45 calls – 25%;
 - Over and above 45 calls – 30%;
- d) A 10% reduction on the ships which operate at a short sea service, from the 6th call performed in the course of the preceding 365 calendar days, including the ones at liner service, when requested;
- e) A 20% reduction on the ships which operate at a national coasting service, from the 12th call performed in the course of the preceding 365 calendar days, when requested, and not accumulative with the ones regarding the liner and short sea services;
- f) A 7,5% reduction on ships at transshipment service, when requested;
- g) A 50% reduction on vessels at strategic services, excluding any other applicable reduction planned for the Ship Harbour Due.

2- All the ships which had fulfilled the liner service conditions, and whose owner assures the services continuity for at least a year through a bank guarantee whose value is to be defined by APS, SA, shall benefit from a 10% reduction from the 1st to the 5th call.

3- Under the terms of the RST, Art.2, paragraphs u), and without prejudice of the fulfilment of the remaining conditions, a ship is considered to be at short sea service when the deadweight is equal or lower than 6.000 DWT and operate within an area restricted to Europe, Mediterranean Sea, Black Sea, Morocco, archipelago of Cape Verde and Canary.

4- Under the terms of the RST, Art.2, paragraphs t), and without prejudice of the fulfilment of the remaining conditions, a ship is considered to be at transshipment service when the total cargo of the transshipment, whether in tons or cargo units, equals or surpasses the rates below concerning its deadweight or cargo capacity, according to the type of ship considered:

Type of vessel or ship	Rates
Tankers	20% of the DWT
Containerships	10% of the cargo capacity in TEUs
Ro-Ro ships	40% of the DWT
Other vessels or ships	40% of the DWT

5- A service is considered strategic when it aims to enhance the integration of the Port of Sines in national and international supply chains and fulfil the following conditions:

- a) Being considered by APS, SA, as having a strategic or priority value to the port and the regional and national economy;
- b) Aims the growth and consolidation of value-added traffic;
- c) Calls the port at least 22 times per civil year;
- d) Uses ships whose deadweight or cargo capacity is equal or higher than 55.000 DWT or 3.000 TEU, respectively;
- e) Assures, through a bank guarantee, these conditions and an annual minimum traffic, agreed with APS, SA through a protocol signed between APS, SA and its ship-owner, operator or legal representative.

Article 11.

Ship Harbour Due, based on the gross tonnage (GT) and time variable

1- To vessels and ships whose condition is in accordance with what has been established on Art. 9, paragraph 6, are to be applied the rates mentioned on paragraphs 2 and 3 of the present article.

2- To vessels and ships berthed alongside, a € 0,0620 due is charged per each indivisible 24-hour period and per GT unit.

3- To vessels and ships anchored, a € 0,0248 due is charged per each indivisible 24-hour period and per GT unit.

4- As for the dues application, the lay-time extension is considered to be continuous, whenever a vessel changes its place without having anchored or berthed during the in-between time, whether it is during the staying at the berth or at the anchorage.

5- Whenever a vessel is whether anchored or berthed, each completed 24 hours period is to be charged according to numbers 2 and 3 of the present article; the incomplete periods of both anchoring and berthing are to be added and, if the result does not surpass 24 hours, a unique staying at berth due shall be applied, considering a 24 hours indivisible period.

Article 12. Exemptions

- 1- The following vessels and ships are exempt from the Harbour Dues:
 - a) Hospital ships;
 - b) Portuguese Navy ships and foreign navy ships, as long as on official visit, or exhibiting the flag of a country that grants equal treatment to ships of the Portuguese Navy;
 - c) The vessels on scientific, cultural or charitable mission, when requested;
 - d) Ships entering the port exclusively to change crews or to disembark sick persons or corpses, during the period of time strictly necessary for that purpose;
 - e) The tugboats and floating equipment at the service of the port,
 - f) Both the local traffic boats and the fishing boats, with a maximum gross tonnage of 5 GT.

2- The Portuguese Government research vessels are exempted from the former paragraph c) item proceedings.

CHAPTER III PILOTAGE

Article 13. Pilotage dues

1- The pilotage tariff is due for the services rendered to the ship by components of the pilotage systems, including its availability and use, under the terms of the RST.

2- The Pilotage Dues comprise the following services: inward and mooring, inward and anchoring, anchoring up and mooring, unmooring and anchoring, unmooring and outward and anchoring up and outward, shifting, shifting alongside and trials, under the terms of the RST.

3- The pilotage service dues are the following:

- a) Pilotage due for inward and mooring;
- b) Pilotage due for inward and anchoring or anchoring up and outward;
- c) Pilotage due for unmooring and outward;
- d) Pilotage due for anchoring up and mooring, unmooring and anchoring, shifting alongside or other kinds of shifting;
- e) Pilotage due for trials, inside or outside the port;
- f) Pilotage due for shifting alongside.

4- It is considered a standing-by pilot service whenever a pilot remains at the vessel's disposal for time periods exceeding the following:

- a) An hour, between the time for which the service was requested and the vessel's arrival to the pilot boarding area on the inward service;
- b) Half an hour, between the time for which the service was requested and its starting, whenever the vessel is already within the port area.

5- The pilotage dues applied to a set of towed vessel and tug shall be charged in accordance with the sum of each ship/vessel GT, whenever the services are jointly rendered.

Article 14.

Rates value

1- The pilotage rates value is calculated per service according to the following formula:

$$T = Cn \times UP \times \sqrt{GT}$$

in which:

T – rate value in Euros;

C_n – specific factor for each type of service rendered;

UP – pilotage unit value;

GT – vessel gross tonnage.

2- To put the previous formula into practice, it is established:

a) The (C_n) factors applicable to the Port of Sines, are the ones enclosed in the following table:

Inward and mooring	Inward and anchoring	Anchoring up and outward	Unmooring and outward	Shiftings				Trials	Shifting alongside
				Anchoring up and mooring	Unmooring and anchoring	Shifting alongside	Other shifting		
1,0	0,4	0,4	1,0	1,0	1,0	0,8	1,0	1,0	0,4

b) The pilotage unit (UP) is of 6,2200.

3- As for dead ships, the pilotage dues prescribed in the previous numbers will be increased in 50%.

4- The pilotage due for standing-by pilot is of € 264,5097 per indivisible hour.

5- A standing-by pilot due shall be applied to occasional pilotage services.

6- Should the pilot board more than 30 minutes late, according to the scheduled time confirmed by the port authority to take the manoeuvre into effect, the concerning dues will be decreased in 25%.

7- The material and equipment affected to the pilotage service may be used under the terms and conditions to be fixed by APS, SA.

Article 15.**Reductions**

1- The pilotage service dues of those ships which had fulfilled the liner service or the strategic service conditions shall benefit from a 20% reduction from the 6th call performed in the course of the preceding 365 calendar days.

2- The pilotage dues applied to ships operating at a national coasting service shall benefit from a 20% reduction from the 12th call performed in the course of the preceding 365 calendar days, not accumulative with the ones regarding the strategic and linear sea services, when requested.

Article 16.**Maximum expected time for the rendered services**

1- Each pilotage service shall be established a maximum expected time for its accomplishment, under good sea and weather conditions, as defined in the REASPS.

2- Should the maximum expected times, mentioned on the previous number be exceeded, a € 260,5097 extra due is to be charged per each indivisible hour, concerning the exceeding time.

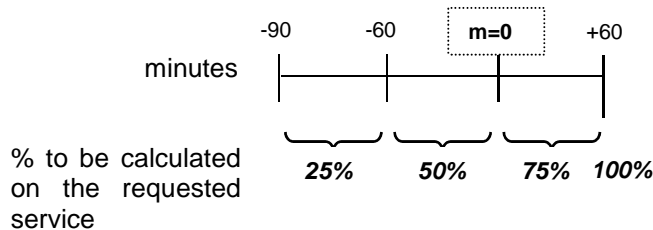
Article 17.**Withdrawal and changing on the pilotage service's requests**

1- The pilotage services' requests may be cancelled or changed, ever since the responsible entity is previously informed at least with a ninety minutes advance regarding the scheduled time on the last request.

2- If the pilotage services' withdrawal or changing isn't taken into effect according to what has been prescribed in the previous number, a due will be charged on the concerning service, as shown below:

- a) Notice given in advance with less than ninety minutes and till the limit of sixty minutes, regarding the scheduled time on the last request: 25%;
- b) Notice given in advance with less than sixty minutes regarding the scheduled time on the last request: 50%;

- c) Notice given till the limit of sixty minutes after the scheduled time on the last request: 75%.



in which,

m = manoeuvre's scheduled time

- 3- The service will be automatically cancelled whenever it doesn't start until a sixty minutes maximum, after the scheduled time, being thus integrally paid.

CHAPTER IV STORAGE

Article 18.

Storage dues

- 1- The storage tariff is due for services rendered to cargo, namely for the occupation of open and covered areas, warehouses and deposits.

- 2- The cargoes that remain deposited in wagons or in any other vehicles that transport them are subjected to the legal storage due correspondent to the area occupied by wagons or vehicles, during the period in which these remain inside the port premises.

- 3- For the effect of application of this tariff, time counting starts on the day of occupation of the space and ends on the day in which it becomes free of cargoes and vehicles, considering the time to be continuous in case of transference of the storage place.

4- The dues established in the following articles fall upon the totality of the space occupied, and areas, volumes and minimum weights may be determined by APS, SA for invoicing purposes.

Article 19.

Open and covered storage

1- For the storage of cargoes in open and covered areas, in embankments or warehouses, without prejudice to the provisions of the subsequent numbers, the following rates are due, per square meter and indivisible 24-hour period:

Time periods	Euros/day
On the first 7 days	Free
From the 8th till the 18th day	0,0384
From the 19th till the 30th day	0,0639
On the 31st day and following	0,1021

2- The following rates are due, per unit and indivisible 24-hour period, for storage of containers in embankments and terminals:

Time periods	Container ≤20' (Euros/day)	Container > 20' (Euros/day)
On the first 8 days	Free	Free
From the 9th till the 15th day	1,3282	2,6437
On the 16th day and following	2,3118	4,6235

3- The dues mentioned in the previous number are applied from the date of the container's entry into the park until the date of its withdrawal.

4- APS, SA may reserve open or covered areas, under special conditions to be determined, in which a rate per square meter based on the category of the cargo, type of space and time of storage will be due.